

BORIS FELDMAN, State Bar No. 128838  
DOUGLAS J. CLARK, State Bar No. 171499  
CHERYL W. FOUNG, State Bar No. 108868  
WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation  
650 Page Mill Road  
Palo Alto, CA 94304-1050  
Telephone: (650) 493-9300  
Facsimile: (650) 565-5100

Attorneys for Defendants  
PIXAR, STEVEN P. JOBS, EDWIN E.  
CATMULL and SIMON T. BAX

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CAROLYN MATARAZA, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

PIXAR, STEVEN P. JOBS, EDWIN E.  
CATMULL and SIMON T. BAX,

Defendants.

CIVIL ACTION NO.: C 05 4290 JSW

STIPULATION AND ~~PROPOSED~~  
ORDER RE CONSOLIDATION AND  
SCHEDULING

BEVERLY GRABELL, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

PIXAR, STEVEN P. JOBS, EDWIN E.  
CATMULL and SIMON T. BAX,

Defendants.

CIVIL ACTION NO.: C 05 4431 MJJ

THOMAS M. HOOSAC, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

PIXAR, STEVEN P. JOBS, EDWIN E.  
CATMULL and SIMON T. BAX,

Defendants.

CIVIL ACTION NO.: C 05-4619-MJJ

The parties hereby stipulate, and the Court hereby orders, as follows:

**CONSOLIDATION OF RELATED CASES**

1. The following actions are related cases:

*Mataraza v. Pixar, et al.*, Case No. C 05 04290 JSW, filed October 21, 2005;

*Grabell v. Pixar, et al.*, Case No. C 05 4431 MJJ, filed November 1, 2005;

*Hoosac v. Pixar, et al.*, Case No. C 05 4619 MJJ, filed November 10, 2005.

Pursuant to Federal Rules of Civil Procedure 42(a), these cases are hereby consolidated into Civil Action No. 05 CV 04290 JSW, for all purposes, including pretrial proceedings, trial and appeal. The consolidated action shall be captioned: "In re Pixar Securities Litigation."

2. All related actions that are subsequently filed in, or transferred to, this District shall be consolidated into this action for pretrial purposes. This Order shall apply to every such related action, absent order of the Court. A party that objects to such consolidation, or to any other provision of this Order, must file an application for relief from this Order within thirty (30) days after the date on which a copy of the order is served on the party's counsel.

3. This Order is entered without prejudice to the rights of any party to apply for severance of any claim or action, for good cause shown.

**MASTER DOCKET AND CAPTION**

4. The docket in Civil Action No. C 05 04290 JSW shall constitute the Master Docket for this action.

5. Every pleading filed in the consolidated action shall bear the following caption:

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

In re PIXAR SECURITIES LITIGATION ) Master File No. C 05 04290 JSW

\_\_\_\_\_) )  
\_\_\_\_\_) ) CLASS ACTION  
\_\_\_\_\_) )

This Document Relates To: )  
\_\_\_\_\_) )  
\_\_\_\_\_) )  
\_\_\_\_\_) )

6. The file in Civil Action No. C 05 04290 JSW shall constitute a Master File for every action in the consolidated action. When the document being filed pertains to all actions, the phrase "All Actions" shall appear immediately after the phrase "This Documents Relates To". When a pleading applies only to some, but not all, of the actions, the document shall list, immediately after the phrase "This Documents Relates To", the docket number for each individual action to which the document applies, along with the last name of the first-listed plaintiff in said action.

7. The parties shall comply with Local Rule 3-12(b) regarding related cases whenever a case that should be consolidated into this action is filed in, or transferred to, this District. If the Court determines that the case is related, the clerk shall:

- a) place a copy of this Order in the separate file for such action;
- b) serve on plaintiff's counsel in the new case a copy of this Order;
- c) direct that this Order be served upon defendants in the new case; and
- d) make the appropriate entry in the Master Docket.

#### **LEAD PLAINTIFF'S COUNSEL**

8. After the Court has designated a Lead Plaintiff and Lead Plaintiff's Counsel, pursuant to 15 U.S.C. § 78u-4(a)(3), Lead Plaintiff's Counsel shall have authority to speak for, and enter into agreements on behalf of, plaintiffs in all matters regarding pretrial procedures, discovery, and settlement negotiations. Lead Plaintiff's Counsel shall be responsible for coordination of all activities and appearances on behalf of plaintiffs and for dissemination of notices and orders. Lead Plaintiff's Counsel shall be responsible for communications with the Court on behalf of Plaintiffs. Lead Plaintiff's Counsel shall maintain a master service list of all parties and counsel.

9. Defendants' counsel may rely upon agreements made with Lead Plaintiff's Counsel. Such agreements shall be binding on all plaintiffs.

**PLEADINGS AND MOTIONS**

10. Defendants are not required to respond to the complaint in any action consolidated into this action, other than the consolidated complaint or a complaint designated as the operative complaint by Lead Plaintiff's Counsel.

11. Following the appointment of a Lead Plaintiff and Lead Plaintiff's Counsel, the parties shall submit a mutually agreeable schedule for the filing of a consolidated complaint (or designation of an operative complaint), as well as briefing and hearing of responses thereto. The consolidated or operative complaint shall supersede all complaints filed in any of the actions consolidated herein.

12. The above-captioned cases have been designated for this Court's Electronic Case Filing Program, and all pleadings and papers shall be electronically served in accordance with the Local Rules and General Orders of this Court regarding Electronic Case Filing. To the extent that any papers are not electronically filed, the parties shall serve all such papers on each other by hand, by overnight delivery, or facsimile, unless otherwise agreed upon by the parties. Notwithstanding the foregoing, defendants may serve plaintiffs' counsel, other than Lead Plaintiff's Counsel, by first class mail, unless otherwise agreed upon by the parties.

Dated: November 29, 2005

MILBERG WEISS BERSHAD &  
SCHULMAN LLP  
JEFF S. WESTERMAN  
KAREN T. ROGERS

---

KAREN T. ROGERS

355 S. Grand Avenue, Suite 4170  
Los Angeles, CA 90071  
Telephone: (213) 617-1200  
Facsimile: (213) 617-1975

Attorneys for Plaintiffs in *Mataraza v. Pixar*

1 Dated: November \_29, 2005

GREEN WELLING LLP  
ROBERT S. GREEN

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  

---

ROBERT S. GREEN

595 Market Street, Suite 2750  
San Francisco, CA 94105  
Telephone: (415) 477-6700  
Facsimile: (415) 477-6710

Attorneys for Plaintiffs in *Grabell v. Pixar*

Dated: November \_29, 2005

GLANCY BINKOW & GOLDBERG LLP  
LIONEL Z. GLANCY

---

DALE MACDIARMID

1801 Avenue of the Stars, Suite 311  
Los Angeles, CA 90067  
Telephone: (310) 201-9150  
Facsimile: (310) 201-9160

Attorneys for Plaintiffs in *Hoosac v. Pixar*

I, Cheryl Fount, am the ECF User whose identification and password are being used to  
file this Stipulation and [Proposed] Consolidation and Scheduling Order. I hereby attest that  
Karen Rogers, Robert Green and Dale MacDiarmid have concurred in this filing.

Dated: November 29, 2005

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

By: /s/ CHERYL W. FOUNT  
CHERYL W. FOUNT

Attorneys for Defendants  
PIXAR, STEVEN P. JOBS, EDWIN E.  
CATMULL and SIMON T. BAX



1 IT IS SO ORDERED:

2 Pursuant to the parties' stipulation, the Court hereby orders, that pursuant to Federal Rule  
3 of Civil Procedure 42(a), the following related actions are consolidated into Civil Action No.  
4 C 05 04290 JSW for pretrial proceedings, trial, and appeal:

5 *Mataraza v. Pixar, et al.*, Case No. C 05 04290 JSW, filed October 21, 2005;

6 *Grabell v. Pixar, et al.*, Case No. C 05 4431 MJJ, filed November 1, 2005;

7 *Hoosac v. Pixar, et al.*, Case C05-4619-MJJ, filed November 10, 2005.

8 The consolidated action shall be captioned: "In re Pixar Securities Litigation." All  
9 related actions that are subsequently filed in, or transferred to, this District shall be consolidated  
10 into this action for pretrial purposes. This Order shall apply to every such related action, absent  
11 order of the Court.

12 Defendants are not required to respond to the complaint in any action consolidated into  
13 this action, other than the consolidated complaint or a complaint designated as the operative  
14 complaint by Lead Plaintiff's Counsel.

15 Following the appointment of a Lead Plaintiff and Lead Plaintiff's Counsel, the parties  
16 shall submit a mutually agreeable schedule for the filing of a consolidated complaint (or  
17 designation of an operative complaint), as well as briefing and hearing of responses thereto. The  
18 consolidated or operative complaint shall supersede all complaints filed in any of the actions  
19 consolidated herein.

20  
21 Dated: December 1, 2005

  
THE HONORABLE JEFFREY S. WHITE  
UNITED STATES DISTRICT COURT JUDGE